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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,273	03/26/2004	Takateru Satoh	02157/0201088-US0	8531
7278	7590	11/14/2006	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			KAYRISH, MATTHEW	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/810,273	SATO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Matthew G. Kayrish	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the orthogonal, i.e. perpendicular plane chamfered portions, of figure 7C, as described in the specification. More specifically, the claimed chamfered portions would leave an unblocked view in the upper left corner of figure 7C. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: figure 7C makes reference to item 806, which is not described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The amendment filed 8/30/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows:

Applicant's amendment to the specification, page 2, after line 2:

Figure 7C is a cross-section view of the claim member across plane 800.

Furthermore, Applicant's amendment to the specification, page 15, after line 12:

Figures 7A, 7B and 7C illustrate a center axis 802 for clamp portion 82 and a center line 804 of the opening 82a. A plane 800 passes through both the center axis 802 and center line 804. The chamfered portions are sloped orthogonal to the plane 800.

Applicant's amendment of figures 7A and 7B and the addition of figure 7C.

Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Claim Rejections - 35 USC § 112***

Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

In claim 1, lines 9-11, the amendment adding the language "Said chamfered portions having a slope orthogonal to a plane passing between a center axis of the cylindrical body and a center line of the opening" is not in the original disclosure.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Figures 7A, 7B and 7C illustrate a center axis 802 for clamp portion 82 and a center line 804 of the opening 82a. A plane 800 passes through both the center axis 802 and center line 804. The chamfered portions are sloped orthogonal to the plane 800.

Applicant's amendment of figures 7A and 7B and the addition of figure 7C.

Applicant is required to cancel the new matter in the reply to this Office Action.

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Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiga et al. (US Patent Number 6761327).

Regarding claim 1, Shiga et al disclose:

A tape cartridge comprising:

A reel hub unit (figure 1, item 23), for winding a tape-shaped recording medium (figure 1, item 20) on its periphery (column 9, lines 22-25), rotatably accommodated in said tape cartridge (column 9, lines 22-25); and

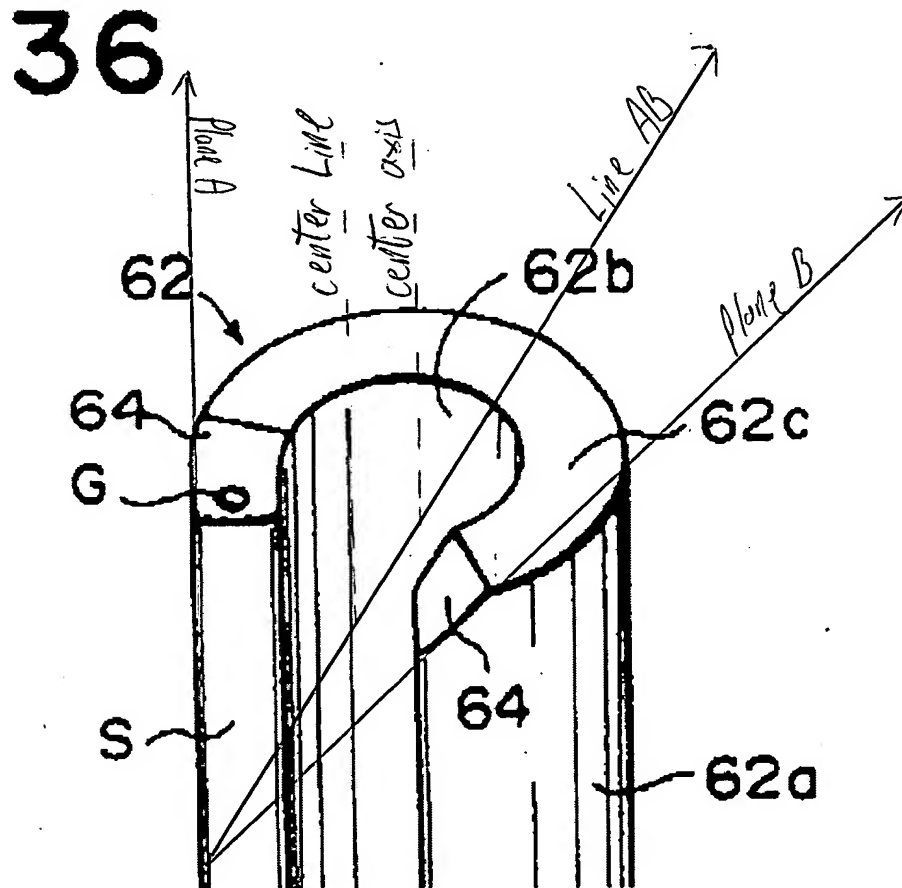
A leader member (figure 1, item 21) for holding and fixing a leading edge of the tape-shaped recording medium (column 9, lines 1-62);

Wherein said leader member includes a pin member (figure 5a, item 21a) having a pair of collar portions (figure 5a, item 21d) between which the tape-shaped recording medium is positioned (column 10, lines 26-32), and a clamp member (figure 5a, item 62) fitted in between said collar portions from through an opening (figure 5a, opening represented by slit [S]) so formed in a longitudinal direction of a cylindrical body as to extend to end surfaces on both sides of said cylindrical body (See figure 5a), and clamping the tape-shaped recording medium between said pin member and said clamp member itself (column 10, lines 45-50); and

Chamfered portions (figure 36, item 64) are provided at edge portions of the opening of said clamp member (figure 36, (column 20, lines 37-42)), said chamfered portions having a slope orthogonal to a plane passing between a center axis of the

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cylindrical body and a center line of the opening (see figure 36 below, any plane that is orthogonal to line AB will be orthogonal to the slopes of both chamfered portions and will pass between the center axis and a center line of the slit).



Regarding claim 2, Shiga et al disclose:

A tape cartridge according to claim 1, wherein each of said chamfered portions is formed over to an end surface of said cylindrical body that faces said collar portion (column 20, lines 37-40), to a side surface extending in the longitudinal direction of said opening and to an outer peripheral surface of said cylindrical body (figure 36, inclined guide surfaces [64] are slanted and extend the width of the clamp).



Regarding claims 3 and 6, Shiga et al disclose:

A tape cartridge according to claim 1 or 2, wherein said chamfered portions are provided at both of shoulders facing each other with said opening interposed therebetween (figure 36, inclined guide surfaces are on the shoulders of clamp end portions of slits and they face each other across the slit).

Regarding claims 4 and 7, Shiga et al disclose:

A tape cartridge according to claim 1, or 2, wherein a length of said chamfered portion in a direction of the side surface extending in the longitudinal direction, falls within a range of 0.1 through 2 mm (column 20, lines 15-18).

Regarding claims 5 and 8, Shiga et al disclose:

A tape cartridge according to claim 1, or 2, wherein a chamfering angle made by a chamfering line of said chamfered portion and by the side surface extending in the longitudinal direction, falls within a range of 20 through 50 degrees (figure 36, inclined guide surfaces are at an angle of about 30° to 45°).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Kayrish whose telephone number is 571-272-4220. The examiner can normally be reached on 8am - 5pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew G. Kayrish

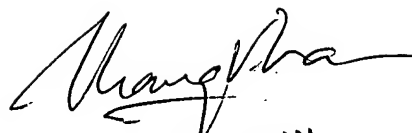
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MK

A handwritten signature in black ink, appearing to be 'MK' followed by a stylized flourish.

11/1/06

A handwritten signature in black ink, appearing to be 'Thang V. Tran'.

THANG V. TRAN  
PRIMARY EXAMINER